



Ifw

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

4

Application Number

10/771,695

Filing Date

February 4, 2004

First Named Inventor

Paul D. Hanke

Art Unit

1656

Examiner Name

Alexander D. Kim

Attorney Docket Number

040049

ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☐

Fee Attached

☒

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐

Reply to Missing Parts/
Incomplete Application

☐

Reply to Missing Parts
under 37 CFR 1.52 or 1.53

☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐

Petition to Convert to a
Provisional Application

☐

Power of Attorney, Revocation

☐

Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) _____

☐ Landscape Table on CD

☐

After Allowance Communication to TC

☐

Appeal Communication to Board
of Appeals and Interferences

☐

Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☒

Other Enclosure(s) (please identify
below):

Return Postcard

Remarks

Please mark postcard as received and return to our attention.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Buchanan Ingersoll PC

Signature

Duane A. Stewart III

Printed name

Duane A. Stewart III

Date

April 19, 2006

Reg. No.

54,468

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Maria N. Dupain

Typed or printed name

Maria N. Dupain

Date

April 19, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT APPLICATION
Attorney Docket No. 040049

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	:	Confirmation No. 4373
Paul D. Hanke	:	
	:	Art Unit: 1656
Appl. No.: 10/771,695	:	
	:	Examiner: Alexander D. Kim
Filed: February 4, 2004	:	Atty. Docket: 040049
For: Polynucleotides Encoding a Feedback-Resistant Aspartokinase From Corynebacterium		

REPLY TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In reply to the Office Action mailed March 22, 2006 requesting restriction to a single invention in the above-referenced patent application, Applicants hereby elect Group IV, including claims 19-24. This election is made without traverse.

This election is made without prejudice to or disclaimer of the other claims included in this case. Applicants reserve the right to file divisional patent applications claiming priority to this application and to the various applications from which this application claims priority for the non-elected claims at a later date. Applicants also reserve the right to rejoinder.

The claims in this case are amended herein to put them in better condition for examination and early allowance. Support for the amendment to claim 19 is found in the first full paragraph on page 9 of the specification.